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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/553,401	10/17/2005	Yoon-Sik Park	P70867US0	3740

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JACOBSON HOLMAN PLLC
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WASHINGTON, DC 20004

EXAMINER

WILKENS, JANET MARIE

ART UNIT	PAPER NUMBER
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3637

MAIL DATE	DELIVERY MODE
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05/14/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/553,401	Applicant(s) PARK, YOON-SIK	
	Examiner Janet M. Wilkens	Art Unit 3637	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 October 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>1/19/2006</u> | 6) <input type="checkbox"/> Other: ____ |

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Drawings

The drawings are objected to because in Fig. 12, the numeral 312 on the right side should be 311. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. For claim 1, it is unclear whether or not the slide is to be claimed in combination with the self-closing apparatus. In the preamble of the claim, only the sub-combination/apparatus is the claimed subject matter ("apparatus for a slide"). However, in the body of the claim, the combination/slide and apparatus is being claimed (e.g. "guide is fixed to a movable rail of the slide"). For claim 11, it is unclear whether or not the "a fixed rail" and "movable rails"/"a movable rail" are the same rails as positively claimed previously in claim 1 and/or 11. Claim 14 contains the trademark/trade name KIMCHI. Where a trademark or trade name is used in a claim as a limitation to identify or describe a particular material or product, the claim does not comply with the requirements of 35 U.S.C. 112, second paragraph. See *Ex parte Simpson*, 218 USPQ 1020 (Bd. App. 1982). The claim scope is uncertain since the trademark or trade name cannot be used properly to identify any particular material or product. A trademark or trade name is used to identify a source of goods, and not the goods themselves. Thus, a trademark or trade name does not identify or describe the goods associated with the trademark or trade name. In the present case, the trademark/trade name is used to identify/describe a type of refrigerator and, accordingly, the identification/description is indefinite.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-8 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Park (2001-0269499Y). Park teaches a self-closing apparatus (Fig. 8) for a slide comprising: a pair of springs (60); a moving pin (40) comprising a support pin portion having a cylindrical shape, a support plate, and a guide protrusion; a moving pin guide (50) comprising a moving pin guide slot and first coupling means, the moving pin guide slot comprising a pin-receiving inlet portion (55) defined by two inlet surfaces, and a pin engaging portion (53) defined by three engaging surfaces; a movable member (30) including a plate portion centrally provided with a hole, sliding rods formed integrally with the plate portion, and spring support portions to which first ends of the springs are respectively coupled; and a plate-shaped fixed member (20) comprising a support base comprising spring support portions, to which second ends of the springs are respectively coupled, an extension bar comprising movable member sliding portions respectively formed at opposite longitudinal sides of the extension bar, and a moving pin guide portion (25) formed at an intermediate portion of the extension bar, a head (23), and second coupling means (29), wherein each sliding rod of the movable member comprises a protrusion and a sliding groove; wherein the moving pin guide portion of the fixed member comprises a rectilinear guide portion and a curved guide portion;

Art Unit: 3637

wherein the moving pin is slidably coupled to the moving pin guide portion of the fixed member; the movable member sliding portions of the fixed member are slidably engaged with the sliding grooves of the movable member under a condition in which the support pin portion of the moving pin is inserted in the hole of the movable member, so that the moving pin moves integrally with the movable member along the moving pin guide portion of the fixed member when the movable member slides along the movable member sliding portions of the fixed member; wherein the moving pin guide is fixed to a movable rail of the slide by the first coupling means such that the moving pin guide is moved together with the movable rail; and wherein the fixed member is fixed to a fixed rail of the slide by the second coupling means. The hole formed in the plate portion of the movable member has a length corresponding to a transversal length of the moving pin guide portion of the fixed member. The movable pin guide slot further comprises an engagement groove formed at one of three engaging surfaces of the pin engaging portion. Each of the springs has the tapered portions respectively formed at a portion near the end of the spring. The first coupling means comprises a hole in which a coupling protrusion (70) of the movable rail is fitted, and the second coupling means comprises riveting holes. The extension bar of the fixed member further comprises a buffering space connected to the rectilinear guide portion of the moving pin guide portion while extending parallel with the rectilinear guide portion, a support protrusion formed between the moving pin guide portion and the buffering space, and a twist preventing protrusion formed at the support protrusion and adapted to prevent the support protrusion from twisting. The moving pin guide further comprises elastic blocks

Art Unit: 3637

respectively formed at opposite longitudinal sides of the moving pin guide, and buffering grooves respectively formed around the elastic blocks, the elastic blocks being diverged from each other to have elasticity. The extension bar of the fixed member further comprises protrusions respectively arranged close to and in parallel with the movable member sliding portions.

Claims 1-8 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Park (2001-0269498Y). Park teaches a self-closing apparatus (Fig. 6) for a slide comprising: a pair of springs (60); a moving pin (40) comprising a support pin portion having a cylindrical shape, a support plate, and a guide protrusion; a moving pin guide (50) comprising a moving pin guide slot and first coupling means, the moving pin guide slot comprising a pin-receiving inlet portion (55) defined by two inlet surfaces, and a pin engaging portion (53) defined by three engaging surfaces; a movable member (30) including a plate portion centrally provided with a hole, sliding rods formed integrally with the plate portion, and spring support portions to which first ends of the springs are respectively coupled; and a plate-shaped fixed member (20) comprising a support base comprising spring support portions, to which second ends of the springs are respectively coupled, an extension bar comprising movable member sliding portions respectively formed at opposite longitudinal sides of the extension bar, and a moving pin guide portion (25) formed at an intermediate portion of the extension bar, a head (23), and second coupling means (29), wherein each sliding rod of the movable member comprises a protrusion and a sliding groove; wherein the moving pin guide portion of the fixed member comprises a rectilinear guide portion and a curved guide portion;

wherein the moving pin is slidably coupled to the moving pin guide portion of the fixed member; the movable member sliding portions of the fixed member are slidably engaged with the sliding grooves of the movable member under a condition in which the support pin portion of the moving pin is inserted in the hole of the movable member, so that the moving pin moves integrally with the movable member along the moving pin guide portion of the fixed member when the movable member slides along the movable member sliding portions of the fixed member; wherein the moving pin guide is fixed to a movable rail of the slide by the first coupling means such that the moving pin guide is moved together with the movable rail; and wherein the fixed member is fixed to a fixed rail of the slide by the second coupling means. The hole formed in the plate portion of the movable member has a length corresponding to a transversal length of the moving pin guide portion of the fixed member. The movable pin guide slot further comprises an engagement groove formed at one of three engaging surfaces of the pin engaging portion. Each of the springs has the tapered portions respectively formed at a portion near the end of the spring. The first coupling means comprises a hole in which a coupling protrusion (70) of the movable rail is fitted, and the second coupling means comprises riveting holes. The extension bar of the fixed member further comprises a buffering space connected to the rectilinear guide portion of the moving pin guide portion while extending parallel with the rectilinear guide portion, a support protrusion formed between the moving pin guide portion and the buffering space, and a twist preventing protrusion formed at the support protrusion and adapted to prevent the support protrusion from twisting. The moving pin guide further comprises elastic blocks

respectively formed at opposite longitudinal sides of the moving pin guide, and buffering grooves respectively formed around the elastic blocks, the elastic blocks being diverged from each other to have elasticity. The extension bar of the fixed member further comprises protrusions respectively arranged close to and in parallel with the movable member sliding portions.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 11 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Park (both references) in view of Kim (6,712,435). As stated above, Park teaches the limitations of claim 1, including a self-closing apparatus between fixed and movable rails (10,13,15). For claims 11 and 13, Park fails to teach ball bearings between the rails. Kim (in Fig. 1) teaches the use of ball bearings in between three rails. It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the rail system of Park by adding ball bearings between the rails, such as is taught by Kim, to provide smoother movement between the rails when they are slid relative to each other.

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Park (both references) in view of Park (2002-0287996). As stated above, Park teaches the

Art Unit: 3637

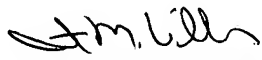
limitations of claim 1, including a self-closing apparatus between fixed and movable rails (10,13,15). For claim 12, Park fails to teach that one of the moving rails includes a groove. Park (in Fig. 1) teaches the use a grooved rail for insertion of a portion of the self-closing apparatus. It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the rail system of Park by using a moving rail with a groove, such as is taught by Park, for the advantage stated above.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Janet M. Wilkens whose telephone number is (571) 272-6869. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on (571) 272-6867. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Wilkens
May 10, 2007


JANET M. WILKENS
PRIMARY EXAMINER
